

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 05-cv-10227

Suzanne Carlson

v.

United States of America

CLERK'S CERTIFICATE

I, Sarah A Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 12/2/05.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on January 18, 2006.

Sarah A. Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 1/18/06


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:05-cv-10227-WGY**

Carlson v. United States of America
Assigned to: Judge William G. Young
Cause: 26:7401 IRS: Tax Liability

Date Filed: 02/04/2005
Jury Demand: Plaintiff
Nature of Suit: 870 Taxes
Jurisdiction: U.S. Government
Defendant

Plaintiff

Suzanne Carlson

represented by **Timothy J. Burke**
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ATTORNEY TO BE NOTICED

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V.

Defendant

United States of America

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Date Filed	#	Docket Text
02/04/2005	<u>1</u>	COMPLAINT against United States of America Filing fee: \$ 150.00, receipt number 61842, filed by Suzanne Carlson. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Civil Cover Sheet # <u>3</u> Category Sheet)(Bell, Marie) (Entered: 02/09/2005)
02/04/2005		Summons Issued as to United States of America. (Bell, Marie) (Entered: 02/09/2005)
02/04/2005	<u>2</u>	NOTICE of Appearance by Timothy J. Burke on behalf of Suzanne Carlson (Bell, Marie) (Entered: 02/09/2005)
02/04/2005		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Collings. (Bell, Marie) (Entered: 02/09/2005)
04/22/2005	<u>3</u>	MOTION to Dismiss <i>United States of America's Motion to Affirm the Appeals Officer's Determination or to Dismiss the Appeal, or, in the Alternative, for Summary Judgment</i> by United States of America.(Reiferson, Barry) (Entered: 04/22/2005)
04/22/2005	<u>4</u>	MEMORANDUM in Support re <u>3</u> MOTION to Dismiss <i>United States of America's Motion to Affirm the Appeals Officer's Determination or to Dismiss the Appeal, or, in the Alternative, for Summary Judgment</i> filed by United States of America. (Reiferson, Barry) (Entered: 04/22/2005)
04/22/2005	<u>5</u>	NOTICE of Appearance by Barry E. Reiferson on behalf of United States of America (Reiferson, Barry) (Entered: 04/22/2005)
04/25/2005	<u>6</u>	EXHIBITS re <u>3</u> MOTION to Dismiss <i>United States of America's Motion to Affirm the Appeals Officer's Determination or to Dismiss the Appeal, or, in the Alternative,</i>

		for Summary Judgment by United States of America. (Bell, Marie) (Entered: 04/25/2005)
05/04/2005	●	NOTICE of Hearing on Motion <u>3</u> MOTION to Dismiss <i>United States of America's Motion to Affirm the Appeals Officer's Determination or to Dismiss the Appeal, or, in the Alternative, for Summary Judgment</i> : Motion Hearing set for 6/13/2005 02:00 PM in Courtroom 18 before Chief Judge William G. Young. Opposition is due by 5/6/05. Reply brief, if any, is due by 5/18/05.(Smith, Bonnie) (Entered: 05/04/2005)
05/06/2005	● <u>7</u>	First Opposition re <u>3</u> MOTION to Dismiss <i>United States of America's Motion to Affirm the Appeals Officer's Determination or to Dismiss the Appeal, or, in the Alternative, for Summary Judgment</i> filed by Suzanne Carlson. (Attachments: # <u>1</u> Supplement Memorandum# <u>2</u> Supplement Addendum)(Burke, Timothy) (Entered: 05/06/2005)
05/13/2005	● <u>8</u>	MOTION to Compel by Suzanne Carlson.(Burke, Timothy) (Entered: 05/13/2005)
05/13/2005	● <u>9</u>	MOTION to Continue Hearing Scheduled for June 13, 2005 to Any suggested date listed in the Motion or as the Court shall determine. by Suzanne Carlson.(Burke, Timothy) (Entered: 05/13/2005)
05/13/2005	● <u>10</u>	NOTICE of Appearance by Melissa L. Halbig on behalf of Suzanne Carlson (Halbig, Melissa) (Entered: 05/13/2005)
05/19/2005	● <u>11</u>	Opposition re <u>8</u> MOTION to Compel filed by United States of America. (Reiferson, Barry) (Entered: 05/19/2005)
05/31/2005	●	Judge William G. Young : Electronic ORDER entered denying <u>9</u> Motion to Continue Hearing scheduled for 6/13/05 (Smith, Bonnie) (Entered: 05/31/2005)
06/03/2005	●	Judge William G. Young : Electronic ORDER entered re: <u>8</u> Motion to Compel. DENIED. THE GOVERNMENT CANNOT PRODUCE WHAT IT DOES NOT HAVE. cc/cl. (Bell, Marie) (Entered: 06/03/2005)
06/13/2005	●	Electronic Clerk's Notes for proceedings held before Judge William G. Young : Motion Hearing held on 6/13/2005 re <u>3</u> MOTION to Dismiss <i>United States of America's Motion to Affirm the Appeals Officer's Determination or to Dismiss the Appeal, or, in the Alternative, for Summary Judgment</i> filed by United States of America,. After hearing, the court accepts

		Exhibit A, tape recording of administrative hearing, and takes the motion UNDER ADVISEMENT (Court Reporter Womack.) (Smith, Bonnie) (Entered: 06/14/2005)
07/19/2005	<u>12</u>	MOTION Expand the Record by Suzanne Carlson. (Attachments: # <u>1</u> # <u>2</u>)(Burke, Timothy) (Entered: 07/19/2005)
07/22/2005	<u>13</u>	MOTION for New Trial by Suzanne Carlson.(Burke, Timothy) (Entered: 07/22/2005)
08/02/2005	<u>14</u>	Opposition re <u>12</u> MOTION Expand the Record filed by United States of America. (Reiferson, Barry) (Entered: 08/02/2005)
08/04/2005	<u>15</u>	Opposition re <u>13</u> MOTION for New Trial filed by United States of America. (Reiferson, Barry) (Entered: 08/04/2005)
08/05/2005	<u>16</u>	MOTION Supplement Motion for New Trial by Suzanne Carlson.(Burke, Timothy) (Entered: 08/05/2005)
08/22/2005		Judge William G. Young : Electronic ORDER entered granting <u>16</u> Supplement Motion For New Trial. cc/cl. (Bell, Marie) (Entered: 08/22/2005)
10/06/2005	<u>17</u>	Judge William G. Young : MEMORANDUM AND ORDER entered. cc/cl.(Bell, Marie) (Entered: 10/06/2005)
10/06/2005		Civil Case Terminated. (Smith, Bonnie) (Entered: 11/10/2005)
12/02/2005	<u>18</u>	NOTICE OF APPEAL by Suzanne Carlson. \$ 255 NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 12/22/2005. (Burke, Timothy) (Entered: 12/02/2005)
12/02/2005	<u>19</u>	NOTICE OF APPEAL by Suzanne Carlson. \$ 255 NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 12/22/2005. (Burke, Timothy) (Entered: 12/02/2005)
12/06/2005		Notice of correction to docket made by Court staff. Correction: Document #18 filed without signature - Refiled With Signature - which is Document #19. (Bell, Marie) (Entered: 12/06/2005)

12/12/2005	● Documents terminated: <u>18</u> Notice of Appeal, filed by Suzanne Carlson. Electronically filed without signature....Refiled with signature - Document #19. (Bell, Marie) (Entered: 12/12/2005)
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